

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/670,616	09/27/2000	Masakazu Nishikawa	Q58116	6123
75	90 06/28/2002			
Sughrue Mion Zinn MacPeak & Seas			EXAMINER	
Washington, DC	nia Avenue N W C 20037-3202		BERNATZ, KEVIN M	
			ART UNIT	PAPER NUMBER
			1773	<u></u>
			DATE MAILED: 06/28/2002	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Application N. Oprior, 6:16 Examin r Art Unit Kevin M Bernatz - The MAILING DATE of this c mmunicati n appears n th c ver sheet with the c rrespondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION. Although the period for reply seclided socies is less than thirty (30) steps, as reply within the state story minimum of theiry (30) steps, as reply within the state story minimum of theiry (30) steps, as reply within the state story minimum of theiry (30) steps, as reply well be considered timely. If the period for reply specified store is less than thirty (30) steps, as reply within the state story minimum of theiry (30) steps, as reply well be considered timely. If the period for reply specified store is less than thirty (30) steps, as reply within the state store application of the story within the state store application of the story within the state store application of the story within the state story within the state story minimum of theiry (30) steps, as reply well be considered timely. If the period for reply specified score is less than thirty (30) steps, as reply well as considered timely. If the period for reply specified store is less than thirty (30) steps, as reply well as considered timely. If the period for reply specified store is less than thirty (30) steps, as reply well as considered timely. If the period for reply specified store is less than thirty (30) steps are period to the communication. Application is FINAL. Application is Incondition of allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. To Claim(s) 1.3.4-6.8-10.12-16 and 18-20 is/are rejected. The proposed drawing corrected to by			\mathcal{W}					
## Examin r Kevin M Bernatz Art Unit 1773 —The MAILING DATE of this c mmunicati n appears n th c ver sheet with the c respondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estensions of them may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (b) MONTH's from the mailing date of this communication. If the period for may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (b) MONTH's from the mailing date of this communication. If the period for may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (b) MONTH's from the mailing date of this communication. If the period for may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed on the communication of the period for may be sufficient than adjustment of 28 of 27 CFR 1.136(a). Failure for period within the adjustment of 28 of 27 CFR 1.136(a). This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 ∑ Claim(s) 1,2.4-6.8-10.12-16 and 18-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 ∑ Claim(s) is/are objected to the state with any objected to by the Examiner. Application Papers 9 ∑ The specification is objected to by the Examiner. Application Papers 9 ∑ The proposed drawing correction filed on is: a) approved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12 ∑ The post of declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and		Applicati n N .	Applicant(s)					
The MAILING DATE of this c mmunicati in appears in this c ver sheet with the c rrespondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eduteristics of time may be available under the provisions of 37 CR 1.136(a). In or event, however, may a reply be timely filed after \$3X, (8) MORTHS from the mailing date of this communication. Fallules to reply is ignored because the mailing date of this communication. Fallules to reply within the set or extended product for reply will, by statute, cause the application to become ABANDONED (3.9 X.5. C, § 133). Any reply received by the Office atter than freme minish after the mailing date of this communication, even if timely filed, may reduce any statute. Fallules to reply will be set or extended product for reply will, by statute, cause the application, even if timely filed, may reduce any statute and produced timely and will expect \$(0) MORTHS from the mailing date of this communication, even if timely filed, may reduce any statute than freme minish after the mailing date of this communication, even if timely filed, may reduce any statute. 1) Responsive to communication (s) filed on 2a) Status 1) Responsive to communication for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are rejected. 5) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are rejected. 7) The proposed drawing conjected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The framinish of the confidence action of the favority documents have been received by the Examiner. If approved, corrected drawings ar	Office Action Summany	<u> </u>						
The MAILING DATE of this c mmunicati n appears in this civer sheet with the circ respondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edutinistics of time may be available under the proximation of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after 50.6 (a) MONTIS from the mailing date of this communication. Period with the statistic product of the communication of 17 CFR 1.136(a). In no event, however, may a reply be timely filed after 50.6 (a) MONTIS from the mailing date of this communication. Period to reply in statistic product of the communication of 17 CFR 1.136(a). In or event, however, may a reply be timely filed after 50.6 (a) MONTIS from the mailing date of this communication of the product of the prod	Onice Action Summary							
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edensions of time may be available under the provisions of 37 CFR 1.15(e). In no event, however, may a reply be simely filed states 15k (g) MONTHS from the mailing date of the communication. If NO period for reply is specified above, he maximum statutory period will apply and will expire SIX (g) MONTHS from the mailing date of this communication. Failure to reply within the soft contended period for reply will, by statutory entire will apply and will expire SIX (g) MONTHS from the mailing date of this communication. Failure to reply within the soft contended period for reply will, by statutory entire and surface. Failure to reply within the soft contended period for reply will, by statutor is become ABANDER) of SIX (S). Any reply received by the Office later than these months after the mailing date of this communication, even if smelly filed, may reduce any sensest painted than adjustment. Status	The MAILING DATE of this a mauriceti n one							
THE MAILING DATE OF THIS COMMUNICATION. Elements of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SR (6) MORTHS from the mailing date of this communication. If the period for reply specified allows be lase than thin (30) days, a reply within the absolutory minimum of chiefy (30) days, and the communication. Fealure to neply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any examed patient term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is rinAL. 2b) This action is FINAL. 2b) This action are this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. 7) The proposed drawing correction filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The process drawing correction filed on is/are: a) accepted or b) objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The proposed drawing correction filed on is: a) approved by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority unde								
1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 3) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are pending in the application. 4a) ☐ The above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received.								
3								
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1,2,4-6,8-10,12-16 and 18-20 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved by disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	<u> </u>		osecution as to the merits is					
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received.	4)⊠ Claim(s) <u>1,2,4-6,8-10,12-16 and 18-20</u> is/are pending in the application.							
6) Claim(s) 1.2.4-6.8-10.12-16 and 18-20 is/are rejected. 7) Claim(s)	4a) Of the above claim(s) is/are withdrawn from consideration.							
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	5) Claim(s) is/are allowed.							
8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	6)⊠ Claim(s) <u>1,2,4-6,8-10,12-16 and 18-20</u> is/are rejected.							
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	7) Claim(s) is/are objected to.	7) Claim(s) is/are objected to.						
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	•							
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 	,—							
 a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 	<u> </u>							
 Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). See the attached detailed Office action for a list of the certified copies not received. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). The translation of the foreign language provisional application has been received. 								
 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 								
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 								
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.								
a) The translation of the foreign language provisional application has been received.	application from the International Bureau (PCT Rule 17.2(a)).							
	14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).							
Attachment(s)								
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4) Interview Summary (PTO-413) Paper No(s) 5) Notice of Informal Patent Application (PTO-152) 6) Other:	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal P						

Application/Control Number: 09/670,616

Art Unit: 1773

DETAILED ACTION

Response to Amendment

- 1. Amendments to the specification and claims 2 20, filed on April 10, 2002, have been entered in the above-identified application.
- 2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

3. Claims 1, 9 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Okuyama et al. ('607).

The above rejection is maintained for the reasons of record as set forth in Paragraph No. 9 of the Office Action mailed on October 22, 2001 (Paper No. 3).

Claim Rejections - 35 USC § 103

4. Claims 2, 4 – 6, 8, 10, 12 – 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama et al. as applied above, and further in view of Hosoi et al. ('794).

The above rejection is maintained for the reasons of record as set forth in Paragraph No. 11 of the Office Action mailed on October 22, 2001 (Paper No. 3).

Application/Control Number: 09/670,616

Art Unit: 1773

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama et al. in view of Hosoi et al. as applied above, and further in view of Okudaira et al. ('853) and Maro et al. ('801).

The above rejection is maintained for the reasons of record as set forth in Paragraph No. 12 of the Office Action mailed on October 22, 2001 (Paper No. 3).

Examiner's Comments

6. The examiner notes applicants' Table 1, which contains evidence suggesting an improvement over the prior art when using a specific combination of primer and seed layer. Since polymeric "floppy" substrates are old in the art and primer and seed layers are also old in the art (as exemplified by Okuyama et al.), patentability may reside in a showing of unexpected improvement when a certain combination of these layers are used. Should applicants' desire to pursue patentability by a showing of unexpected results, the examiner reminds applicants' that the claims must be commensurate with the showing of unexpected results (i.e. current examples only use a polyimide substrate with a polyimide flattening layer) and that embodiment(s) representative of a species must be shown inorder to claim a species. Furthermore, the examiner notes that Maro et al. ('801) appears to teach that the results would not be unexpected when placing a select metallic seed layer above a resin substrate to present cracking (col. 4, lines 36 -48: "a layer composed of at least one material selected from the group consisting of Ti, Ta, Mo, V, Zr, Nb and their alloys is formed between a resin substrate and an underlayer as a lowest layer ... thereby preventing crazings caused by the underlayer").

Page 4

Application/Control Number: 09/670,616

Art Unit: 1773

Response to Arguments

7. The rejection of claims 1 - 20 under 35 U.S.C § 102/103 – Okuyama et al., either alone or in combination with various references

Applicant(s) argue(s) that Okuyama et al. is directed to a rigid disk and that the term "floppy" in the claims carries additional limitations than just "any non-glass, ceramic, silicon or carbon substrate". The examiner respectfully disagrees.

While Okuyama et al. does disclose embodiments representing known hard disk substrates, the examiner notes that "plastics" are also known floppy disk substrates (see U.S. Patent No. 5,277,977, col. 10, lines 49 – 58: "Flexible *plastic* films used in ... floppy disks may be employed as well as rigid substrates such as aluminum alloy and glass" [emphasis added]). As such, Okuyama et al. is deemed to read on applicants' current claims since the current claims contain no mechanical properties to distinguish what applicants intend to claim as "floppy".

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Application/Control Number: 09/670,616

Art Unit: 1773

shortened statutory period will expire on the date the advisory action is mailed, and any

Page 5

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin M Bernatz whose telephone number is (703) 308-

1737. The examiner can normally be reached on M-F, 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Paul Thibodeau can be reached on (703) 308-2367. The fax phone

numbers for the organization where this application or proceeding is assigned are (703)

872-9310 for regular communications and (703) 872-9311 for After Final

communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 308-

0651.

KMB

June 23, 2002

STEVAN A. RESAN

PRIMARY EXAMINER